

PROVO RIVER DISTRIBUTION SYSTEM
MINUTES OF THE ANNUAL MEETING OF BOARD OF DIRECTORS
January 14, 1976

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Pursuant to the Articles of Association, as amended by the Provo River Distribution System, and due notice having been given to all members, the Board of Directors of the Provo River Distribution System convened at 10:00 A.M. on January 14, 1976 in Judge Ballif Court Room 3rd floor of the Utah County Courthouse.

Chairman Edwin Ure presided.

On roll call, the following Board members were present:

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| J. Edwin Ure, Chairman | Group 1 | Kanaz Valley Canals |
| Sherman A. Giles | " 2 | Upper Provo, East Heber Valley |
| Irvin O. Bowden | " 3 | Upper Provo, West Heber Valley |
| Dean Wheaden | " 4 | Provo City Canals |
| Stanley H. Roberts | " 5 | East Provo Canals |
| Niels Anderson, Vice Chairman | " 6 | Provo Bench Canals |
| John W. Gillman | " 7 | Provo Reservoir Water Users Co. |
| Jack M. Gardner, Secy.-Treas. | " 8 | Provo River Water Users Assn. |
| Ernest Knight | " 9 | Upper Provo Individual Rights |

Also present were:

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| Stanley Roberts, Jr. | Provo River Commissioner |
| Hugh A. McKellar | Provo River Water Users Assn. |
| Cyril M. Hicken | Wasatch Irrigation Company |

CORRECTION AND ADOPTION OF MINUTES OF ANNUAL MEETING HELD JANUARY 9, 1975:

At the request of the Chairman, Secretary Gardner read the minutes of the annual meeting, held January 9, 1975; the following corrections were made to these minutes:

On page 1 under "On roll call, the following Board members were present:" "Jack M. Gardner, Secretary-Treasurer, Group 9 Upper Provo Individual Rights" was amended to designate "Group 8, Provo River Water Users Association."

Ernest Knight, Group 9, Upper Provo Individual Rights was added.

On page 1, second item from the bottom, "PROVO CITY CANALS, GROUP 5, APPOINTS NEW DIRECTOR TO BOARD" was amended to designate "GROUP 4" in lieu of "GROUP 5".

On page 2—The fourth paragraph up from the bottom of the page, "Repair work was done on Lost Lake Reservoir measuring device and leakage." was amended to read "Repair work was done on Lost Lake Reservoir Dam to prevent leakage and a measuring device

installed to measure the leakage." Director Wheaden moved that the minutes be approved, seconded by Director Gillman and carried unanimously.

ELECTION OF OFFICERS FOR 1976:

Chairman Ure advised that the next order of business was to nominate and elect officers for the ensuing year.

WHEREUPON Director Gillman moved adoption of the following resolution:

RESOLVED that Edwin Ure be elected Chairman to serve the following 1-year term. The motion was seconded by Director Gileads and adopted unanimously. WHEREUPON Director Giles moved adoption of the following resolution:

RESOLVED that Niels Andersen be elected as Vice Chairman to serve the following 1-year term of office. The motion was seconded by Director Bowden and adopted unanimously. WHEREUPON Director Roberts nominated Dean Wheaden as Secretary-Treasurer. Director Ure noted that this was a nomination and that it was his recommendation that if there were other nominees that they be so nominated and that the election of Secretary-Treasurer be by ballot. Whereupon Director Bowden nominated Jack Gardner as Secretary-Treasurer. My majority vote Jack Gardner was elected as Secretary-Treasurer to serve the following 1-year term of office.

1975 FINANCIAL STATEMENT AND DELIQUENT ACCOUNTS:

At the request of Chairman Ure, Secretary Gardner presented the last year's financial statement of the River System's operation, noting that the assessment was set at \$19,000 and there were receipts from assessments of \$19,040.40 and receipts of delinquent accounts of \$51.14 for a total receipts of \$19,091.54. The expenditures during the year were \$21,331.34. That the Distribution Trust Fund as of December 31, 1975, had a balance of \$4,557.43 and that \$22,000 had been budgeted as against the actual expenditure of \$21,331.34.

Delinquent assessments were noted in the amount of \$215.23. That \$64.00 of this total amount was under three accounts that were delinquent three years or more.

After due discussion, Director Giles moved that the Financial Report be approved, seconded by Director Roberts and carried unanimously.

COMMISSIONER'S REPORT ON 1975 OPERATION:

Commissioner Roberts presented the 1975 annual report noting that there were five pages of material yet to be inserted in these reports and requested that after review they be turned back to him at the end of the meeting.

Whereupon Commissioner Roberts called upon the Deputy Commissioner, Sherm Giles, for his report of operations on the Upper Provo for the year 1975. Mr. Giles reported on the situation and noted that on March 1, Trial Lake had 34" of snow or 31.2" of water representing 121 percent of normal. On June 1 there were 31" of water as compared to 31" in 1974 and 18" in 1973.

The year 1975 was one of the best years for water on the Provo River. Snow pack for the winter of 1974-75 was better than average and, because the Spring was cool and late, runoff due to snowmelt was about three weeks later than usual. Also the ground water table was higher in the Heber Valley throughout the summer of 1975.

Past records and statements from those who preceded me in office indicated 2,000 cubic feet per second would be a maximum natural flow for the Provo River through Heber Valley. Because of the weather conditions the natural flow of the Provo went above 2,000 second-feet for eight days in June and on June 15 the natural flow peaked at 2,823 second-feet. This only brings out the fact that it is difficult to predict what the river will do from year to year. No two seasons are ever the same on the Provo River.

High water lasted on the river until the 23rd of July and we were able to deliver 100% of the First Class Rights the entire irrigation season.

The reservoirs at the head of the river all filled with water to spare. We had to open the gates on these reservoirs the latter part of May to let the runoff water through and some of the gates were never closed until the end of the season, or September 15.

There were about the same number of exchanges from Deer Creek Reservoir for the Head of the River storage as usual. Most of this exchange water was used in the Woodland-Francis area in Summit County.

I enjoyed the cooperation of Commissioner Roberts, the State Engineer's Office, the water users and all responsible parties on the Provo River during 1975. The Provo River Water Users Association was very helpful with their men and equipment in placing dams and helping to divert the water in the proper laterals the latter part of the summer.

Mr. Roberts noted that Deer Creek Reservoir was declared full at midnight on June 3 and remained full through July 26. That the Provo River delivered 100% the entire year. That the Duchesne Tunnel was shut off October 29 and the Weber Provo Diversion Canal was shut off on July 26. That on January 6 Deer Creek Reservoir had a capacity of 128,370 acre feet in storage, leaving approximately 44,000 to fill. That on January 1 there were 36" of snow at Trial Lake with a water content of 9.2" being 88% of normal; with 22" of snow at Soapstone with 5" of water being 96% of normal; with 17" of snow at Beaver Creek with 3.9" of water and 105" normal. That the ground was not frozen and should have a good water

year with normal precipitation for the rest of the year. He further noted that there was flooding on the lower Provo during the year causing the river to overflow its banks three times. That the County had controlled the river and provided channels to take care of the problem. Deer Creek helped to hold back water that would have caused an additional flooding. That the maximum flow occurred on the 9th of June. That the channel can hold 5000 second feet for a few days. That the high water did wash out Provo City Diversion Dam. He also noted that the Redford exchange water was being metered with the meter being installed in August. The Deer Creek State Park well is also being metered. The recorders are installed in South Fork and a recorder has been installed by the U.S. Bureau of Reclamation on Little Deer Creek. That the USGS have removed their metering station from North Fork. A discussion followed relating to advantages of having a measuring device on the North Fork and it was noted that one advantage would be to measure the water to affect exchange applications. After due discussion it was agreed to discuss this with the State Engineer at the meeting to be held the following day and see if this gage could be reestablished. Commissioner Roberts noted that the Rock Canyon Case had been stipulated; that the 16.5 second foot Paragraph 4 (c) right was granted in the favor of Provo City, but that it had been appealed to the Supreme Court; the 321 acre feet Lost Creek Reservoir case had been granted as against Provo City.

NOMINATION OF WATER COMMISSIONER FOR 1976:

WHEREUPON Niels Anderson nominated Stanley Roberts, Jr. as the recommended candidate for the commissioner for the following year. Whereupon Director Knight seconded the motion and it was carried with Director Gardner abstaining from voting. Commissioner Roberts recommended Serman Giles as deputy commissioner. WHEREUPON Director Knight then moved adoption of the following resolution:

RESOLVED that Deputy Commissioner Giles be recommended for appointment for Deputy Commissioner for the year 1976. The motion was seconded by Director Roberts and adopted unanimously.

BUDGET AND ASSESSMENT 1976:

Chairman Ure called for a discussion of the budget and assessment for the following year. Secretary Gardner advised that he and Director Ure had worked up a tentative budget for presenting to the Board. Chairman Ure then asked Secretary Gardner to present the budget.

The first item of the budget, the salaries of the commissioner and deputy commissioner, were brought before the Board and after due discussion the following resolutions were adopted unanimously:

RESOLVED that the commissioner salary be increased from \$7,800.00 to \$8,350.00 per year.

RESOLVED that the deputy commissioner salary be increased from \$6,900.00 to \$7,400.00 per year. The motions were seconded and adopted unanimously.

The matching Social Security and State Retirement were adjusted accordingly as itemized under items 1-A&F and 2-A&F. It was noted that item 7, Commissioners Annual Report, was budgeted at \$375 covering three years annual reports. It was agreed that this figure be reduced to \$125.00. Item 10 was the expenditure for the year 1975 had exceeded this amount. It was agreed to increase this figure to \$200.00. Item 11, installing South Fork weirs and recorders, was left at \$500.00 as the gage at the Vivian Park still required installation and this item be designated as "Install Weirs and Recorders". Item 13 was set at \$167.87 bringing a total budget for 1976 of \$23,600.00.

The assessment for 1976 was discussed and after due discussion the following resolution was adopted unanimously:

RESOLVED that the budget and assessment for 1976 be set at \$23,600.00 and \$24,000.00 respectively.

OTHER BUSINESS:

Director Roberts objected to the minutes in not being published prior to the next annual meeting. Secretary Gardner advised he had followed the same procedures as the prior secretary, Hamilton Godbe. That he had never received any instructions from the Board to the contrary. That these were procedures that were set for in "Robert's Rules of Order" for the handling of minutes and that if the Board wished it to be otherwise they should so advise. He further pointed out that the preparation of the minutes were time consuming and that it was necessary to work it in with his other work as best he could. After due discussion Director Gillman moved adoption of the following resolution:

ORDERED that Secretary Gardner prepare the minutes at his own convenience. This was seconded by Director Giles and carried.

Director Bowden noted that the Island Park Dam had been washed out and felt that the Provo River Water Users Association should contribute to the construction of a new dam. Mr. Hugh McKellar, Superintendent of the Provo River Water Users Association, stated that he would talk to his Board and to their legal counsel relating to liability for maintenance of this dam. That it was his opinion that the Association was not responsible for the maintenance of the dam. That the Association would, however, be glad to help with its equipment if it were in the area within any reasonable manner.

MEETING WITH STATE ENGINEER:

Chairman Ure called attention to the following letter dated January 2, 1976: